

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SHAKLA JOSEPH,

Plaintiff,

v.

J. S. WOODFORD, et al.,

Defendants.

CASE NO. 1:05-cv-00184-AWI-SMS PC

ORDER VACATING FINDINGS AND
RECOMMENDATIONS, AND REQUIRING
PLAINTIFF TO COMPLY WITH COURT'S
ORDER OF SEPTEMBER 21, 2006, WITHIN
THIRTY DAYS

(Docs. 18 and 19)

ORDER DIRECTING CLERK'S OFFICE TO
SEND PLAINTIFF CONFORMED COPY OF
AMENDED COMPLAINT

(Doc. 14)

Plaintiff Shakla Joseph ("plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 2000cc-1 (Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA")). On September 21, 2006, the court issued an order finding that plaintiff's amended complaint stated cognizable claims for relief under RLUIPA against defendants Daviega, Pursell, Hooker, Fulks, Anderson, Flore, and Adams, and directing plaintiff to complete and return to the court summonses and USM-285 forms for each of the seven defendants within thirty days.¹ (Doc. 18.) On November 28, 2006, after more than thirty days

¹ On September 18, 2006, defendants Schwarzenegger, Woodford, and Hickman, and the State of California and the California Department of Corrections and Rehabilitation to the extent plaintiff intended to name them as defendants, were dismissed, and plaintiff's claims for declaratory relief and an injunction prohibiting enforcement of the grooming regulation were dismissed. (Doc. 17.)

1 passed and plaintiff failed to comply with or otherwise respond to the court's order, the court
2 recommended that this action be dismissed. (Doc. 19.) Plaintiff filed objections on December 7,
3 2006. (Doc. 20.)

4 Plaintiff states that he wrote a letter to the Clerk's Office requesting clarification of the
5 court's order and a conformed copy of his amended complaint. Plaintiff states that although it
6 appeared he failed to comply with the court's order, he did contact the Clerk's Office seeking
7 assistance.

8 Plaintiff is advised that he may not respond to court orders via a letter to the Clerk's Office.
9 Any response to the court's orders must be directed to the court to ensure that it is filed in the case.
10 The Clerk's Office will be directed to send plaintiff a copy of his amended complaint, and the
11 Findings and Recommendations recommending dismissal of this action shall be vacated. Within
12 thirty days, plaintiff shall comply with the court's order of September 21, 2006, by submitting (1)
13 the Notice of Submission of Documents form, (2) seven summonses (one for each defendant), (3)
14 seven UMS-285 forms (one for each defendant), and (4) eight copies of the amended complaint.

15 Based on the foregoing, it is HEREBY ORDERED that:

- 16 1. The Findings and Recommendations filed on November 28, 2006, is VACATED;
- 17 2. Within **thirty (30) days** from the date of service of this order, plaintiff shall comply
18 with the court's order of September 21, 2006, by submitting to the court the Notice
19 of Submission of Documents form, seven completed summonses, seven completed
20 UMS-285 forms, and eight photocopies of his amended complaint; and
- 21 3. The Clerk's Office shall send plaintiff a copy of his amended complaint, filed
22 December 7, 2005 (court document 14).

23
24 IT IS SO ORDERED.

25 **Dated: January 24, 2007**
26 icido3

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE